

1 U.S. DEPARTMENT OF THE INTERIOR
2 BUREAU OF LAND MANAGEMENT
3 CALIFORNIA DESERT DISTRICT
4 MONDAY, AUGUST 5, 2002
5 PASADENA, CALIFORNIA
6 EVENING SESSION
7 7:01 p.m. - 8:13 p.m.
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1 MONDAY, AUGUST 5, 2002, PASADENA, CALIFORNIA

2 7:01 p.m - 8:13 p.m.

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4 MR. JOSTES: Okay. I think we're going to get
5 started now. It's a little bit after 7:00.

6 My name is John Jostes and I'm an independent
7 meeting facilitator that has been obtained by the Bureau
8 of Land Management to help today's, tonight's,
9 tomorrow's, and tomorrow night's meeting be productive.
10 I'd like to welcome you all and thank you for coming to
11 share your perspectives on the Surprise Canyon
12 Environmental Impact Statement.

13 This is the fourth in the series of five meetings
14 that the Bureau of Land Management is sponsoring with
15 having meetings in both of afternoon and the evening.
16 Last Monday, Tuesday and Wednesday and today and
17 tomorrow. Tomorrow being our last night and afternoon.
18 We'll have those meetings in San Diego.

19 We are here this evening to hear from you about the
20 environmental issues and issues of focus for the
21 Environmental Impact Statement, as well as to expand on
22 the range of alternatives that should be considered in
23 this Environmental Document. This group of meetings is
24 the first of three opportunities that the public and
25 agencies have to participate in the process. This one

1 is oriented toward focusing what issues should be
2 discussed, questions that need to be answered, and the
3 alternatives that need to be addressed in the
4 Environmental Impact Statement.

5 Once we close this portion of the public input
6 process, written comments will be accepted until August
7 30th. So for those you who would like to make comments,
8 we've got some comment sheets outside which is a comment
9 form, address on the back. You can use this or you can
10 use your own way of commenting with a letter or what
11 have you. But if you can get those in to the BLM by the
12 end of the month, they will certainly be considered as
13 part of the Environmental Impact Statement process.

14 The second part of this public involvement is a
15 Draft EIS that will be published, circulated for public
16 and agency to review, and comments will be accepted, and
17 I understand there will be a public hearing to take
18 those comments.

19 Once the Draft is finalized, a preferred
20 alternative will be chosen and there will also be a
21 third set of opportunities for public comment. I
22 believe those center around airing protests with regard
23 to the preferred alternative that the Bureau chooses as
24 the action that they would like to implement.

25 For us this evening, the most productive discussion

1 I think is going to happen if you can really focus on
2 what's important and why, and raise questions that you
3 think the document should address. This is part of an
4 early consultation process, whereby the input that is
5 provided by the public and various agencies, forms part
6 of the basis for the focusing of what the document is
7 going to cover.

8 So far, and I have got some, about 10 different
9 topic areas listed up on the flip chart. The Bureau has
10 focused this particular document on natural sources,
11 cultural resources, geology and soils, water quality and
12 water quantity, air quality and noise, recreation, land
13 use and transportation, aesthetics and visual impacts,
14 social and economic impacts, and wild and scenic river
15 issues. If you got an issue that's not on that list and
16 it has to do with environmental or economic or cultural
17 issues, we want to hear about it this evening.

18 With regard to alternatives, the bureau is looking
19 at a range of alternatives from the no-action or
20 no-project alternative, which equates to temporary
21 access for vehicles until the June 30th 2004, the date
22 that has been specified in the lawsuit settlement
23 between the Bureau and the Center for Biological
24 Diversity, I believe it is. That settlement agreement
25 is the basis for this process. Other alternatives

1 include establishing the Surprise Canyon as a limited
2 route, a closed route, a open route, and various
3 alternatives as far as the degree to which it's
4 reconstructed.

5 And I'll get to your question in just a moment.

6 I hope most of you have the agenda for this
7 evening. On the back of this is a set of meeting ground
8 rules, which I have developed based upon about 15 years
9 of experience in running meetings such as this. It's
10 intended to provide us with a productive dialog. I'd
11 like to be flexible this evening. I'd like to run my
12 meetings as informally as possible, but at the same time
13 I expect a certain degree of civility and focus. I
14 expect you to share your passions with us because this
15 is a passionate topic with a variety of viewpoints and
16 perspectives and we're here to listen to what those are,
17 but along with that comes the responsibility to treat
18 people with respect, to honor the views of a variety of
19 perspectives and we have certainly heard a variety of
20 perspectives over the last seven or eight meetings we
21 have held.

22 The process works when you share relevant
23 information. I think it will make this process more
24 productive and a full disclosure process and I've
25 indicated here, we want to deal with differences as

1 problems to be solved and not battles to be won. In
2 that regard, I'm really not going put up with any cheap
3 shots. I don't expect you to have any but if you did I
4 would have to take this meeting and move it back into
5 more of a formal hearing form and assume my hearing
6 officer role which I really don't care to do.

7 Lastly, Ground Rule eight says, "Limit your
8 comments to three minutes." I think, based upon the
9 number of folks we have here tonight we can be a little
10 more flexible than that. If you need to take up to four
11 or five minutes, feel free to do so, but remember the
12 time that we spend kind of limits what we've got at the
13 end of the meeting. So I want to make sure that every
14 body has a chance to speak once, before someone speaks
15 twice.

16 Steve, did you have a question?

17 MR. CORVA: You said in your comments about the
18 no-action alternative -- I didn't quite understand what
19 you were saying. Is the no-action alternative
20 envisioned by the Bureau what we see on the ground as of
21 today or what was before the agreement with the Center
22 for Biological Diversity?

23 MR. JOSTES: It's my understanding that the
24 no-action alternative would be vehicular access allowed
25 within the Surprise Canyon corridor, outside of

1 designated wilderness areas as was the situation prior
2 to the temporary closure of May 2001. Okay.

3 Again, I am not this intimate with this as the
4 other consultant might be. But I think that's where I
5 bring my independence. So I'm going to hear all
6 viewpoints tonight.

7 And so with that, I think we should probably get
8 started. If anybody has additional yellow cards, please
9 get them up to us.

10 There's -- just to kind of give you a sense of
11 where this is going, after this evening and after
12 tomorrow's meeting, we will put together a summary of
13 the scoping meetings that will be complemented with a
14 full written transcript which is being recorded for each
15 of the meetings we had. So it will have your verbatim
16 testimony as well as some of the foot chart notes that
17 I'll be taking to try to summarize the key pertinent
18 issues here.

19 So with that, let's start with Mike House followed
20 by Ginger Hughes.

21 MR. HOUSE: I'd like to address cultural resources.

22 I was fortunate enough to go a few years ago when
23 my daughter was taking California History in school and
24 I was able to take her with us. She couldn't hike in
25 because she has asthma and we were able to go up there

1 and explore the area and she was able to understand why
2 that area was important during the 1800s and what it
3 means, you know, what happened to these people up there
4 and why it -- why the town went away, why it was
5 important during it's time.

6 She also got to see some of the geology which, when
7 we looked at our pictures since then, she's been able to
8 look at stuff she's doing in school and relate it to
9 what we saw there and get a hands-on feel for what
10 they're talking about in the books.

11 That's basically all I have to say.

12 MR. JOSTES: Thank you, Mike, thank you.

13 Okay. The next person is Ginger. Ginger, just
14 state your name and if you're affiliated with an
15 organization we'll get that on the record.

16 MS. HUGHES: Hi, my name is Ginger Hughes, and I'm
17 associated with the California Association of Four-wheel
18 Drive Clubs. This is my first year that I haven't been
19 on the board of that association for four years. I am
20 also a past chairman for two years of Panamint Valley
21 Days which is held in the area.

22 Surprise canyon is one of our main or was one of
23 our main trails up there. It brought in extra money to
24 the association. So there's economic to our association
25 loss there. There's a loss of being able to take our

1 kids up there to see the history that Mike talked about.
2 There's also loss of economic to the little town of
3 Trona. As we drive through that little town very few
4 businesses stay alive. Many gas stations have closed,
5 markets have come and gone. But when we go in that area
6 we buy stuff there, we get our gas there. So there's
7 economics that way.

8 Me myself, I've gone up there several times and I
9 enjoy the history there. I enjoy the off roading there.
10 I enjoy the whole aspect of that canyon and would like
11 to see it back open.

12 MR. JOSTES: Thank you.

13 Next person is John Dalgleish followed by Jim
14 Arbogast.

15 MR. DALGLEISH: Just a couple things. My name is
16 John Dalgleish, D-a-l-g-l-e-i-s-h. I'm with the
17 American Sand Association.

18 Some things I would like to see addressed in the
19 plan are the economic impacts to the areas outside
20 Inyo County. People come from far away to use the
21 recreation areas in the high desert. The economic
22 impacts will be felt in more areas than just your Inyo
23 and Kern Counties.

24 People who can't hike up the canyon, if you close
25 it off to the vehicle access, they will not be able to

1 use the canyon at all. And if you want to close this
2 canyon, what are you planning on opening up instead? We
3 have over 17 million acres of wilderness in California
4 already. We do not need anymore. There are also a 11
5 streams in the Panamint mountains. Eight are already in
6 wilderness. So why do we need another one put into
7 wilderness? And that's about it. Thanks.

8 MR. JOSTES: Thank you. Jim, followed by Jeffrey
9 Thompson.

10 MR. ARBOGAST: Jim Arbogast, with the California
11 Off-road Vehicle Association.

12 And one thing that I just want to emphasize is
13 sound science needs to be used in this plan. I'm very
14 concerned with that. I have seen a tendency of agencies
15 to use what's called, you know, "the best available
16 science." I'd like to emphasize about that, that we
17 need sound science.

18 I just want to emphasize that with this loss of
19 recreation up in here, I'd like to see some type of form
20 of mitigation. If and when -- it seems quite often that
21 we loose areas to recreate, it seems like this is --
22 there is no recourse in making or in compensating
23 recreation for those loses.

24 I also just want to also mention and touch that
25 when vehicle access is denied, you are also impacting

1 people that are physically disabled and impaired and you
2 have further caused great harm to that community.

3 Thank you.

4 MR. JOSTES: Okay. Thank you, Jim.

5 Jeffrey Thompson followed by Bud Schick.

6 MR. THOMPSON: Jeffrey Alden Thompson,
7 T-h-o-m-p-s-o-n, Alden is A-l-d-e-n. I'm just here as a
8 private citizen.

9 I have actually done a lot of back packing in the
10 past five or six years, mainly since my son's been
11 involved in boy scouting and my son and I actually hiked
12 Surprise canyon back on May 16th of this year. We had a
13 good time.

14 But I really want to emphasize that it's pretty
15 clear from my experience with the California Desert
16 Protection Act that the intent of that act was to
17 maintain motorized access to Surprise Canyon and I don't
18 think a lawsuit by a really non-interested third party
19 should change that. Clearly if they didn't -- if
20 Senator Fineststein did not intend for motorized access,
21 they wouldn't have left that specific corridor in the
22 bottom of the canyon.

23 I do want to mention also that the background
24 material, I want to take exception to one part of that.
25 Only in that it says that the flood in -- what was it?

1 2001, September 2001, removed most of the evidence of
2 four-wheel drive vehicle use. I don't agree with that.
3 There is a roadbed for much of four miles from -- I can
4 think of the name of place now, but the place starting
5 at the mouth of the canyon.

6 MR. JOSTES: Chris Wicht.

7 MR. THOMPSON: Thank you. Up to Panamint City
8 because that's what my son and I hiked. Without that
9 roadbed, a lot of that canyon would not be accessible by
10 foot. Especially the riparian areas, things like that,
11 where branches have been cut back to maintain a trail.

12 And then I just want to -- I just want to point out
13 too, that any human activities in that canyon is going
14 to create some impact whether it's two-track road or
15 roadbed like my son and I hiked on or a single track
16 trail that people would hike on. Those are going to
17 require maintenance and those are going to require
18 cutting back some brush and as long as things like that
19 and as long as these things can be mitigated as the BLM
20 mandate is for multiple use. And I think multiple use
21 should be allowed in Surprise Canyon period. If there
22 is some way that something -- some alleged damage can be
23 mitigated, then by all means, make the effort to
24 mitigate.

25 But like I said, having hiked that canyon and

1 having hiked a lot of other areas, I want to mention a
2 couple of things a couple of other people have already
3 mentioned. And it's basically that that particular
4 weekend, my son and I and two other people were the only
5 people in a that entire canyon. There was one other
6 vehicle parked at Chris Wicht Camp and that's it. There
7 were four people on foot in that canyon and that was a
8 gorgeous Saturday.

9 Obviously by all the T-shirts I see at this meeting
10 and everything else, it's pretty clear that the
11 motorized community has a tremendous amount of interest
12 in Surprise Canyon, and based on the foot traffic that I
13 saw in Surprise Canyon back on -- earlier this year,
14 it's pretty clear to me that that's where the use is,
15 it's motorized use. And as someone who does both hiking
16 and motorized recreation, I have absolutely no problem
17 with that.

18 MR. JOSTES: Thank you.

19 Bud Schick, followed by Steve.

20 MR. SCHICK: Good evening, one and all. My name is
21 Bud Schick, S-c-h-i-c-k.

22 And I was here for the afternoon session and I
23 still can see no reason for this closure. It is a great
24 place for multiple use. I have been up Surprise Canyon
25 and if there's anybody that wants to walk up that's

1 fine. I don't walk and I don't tent. So I like to be
2 able to get up to Panamint City as soon as possible.

3 But there is no reason, as I said, there is no
4 reason on earth for this closure and it was supposed to
5 be kept open and why it is being closed is beyond me.

6 There is an economic impact on the surrounding
7 communities. I know most of us that go that way, we
8 stop at Ridgecrest and Trona and make purchases. So
9 this is a safe way to keep money going into these areas.

10 I thank you, very much.

11 MR. JOSTES: Steve Corva. Followed by Eric
12 Anderson.

13 MR. KUEHL: Hi, my name is Steve Kuehl, K-u-e-h-l.
14 I'm a legal consultant for CORVA. I'm also their
15 immediate past president.

16 I've been around this game for a lot of years. I
17 see a lot people I recognize, lot people I don't
18 anymore. For those that might want to know little
19 background and such, when the Bureau agreed to close the
20 canyon with the Center for Biological Diversity, I and
21 my -- our legal staff wrote all of the appeals or the
22 appeal that went into the Board Land Appeals. I have
23 also helped with the recent litigation that's been filed
24 on this issue.

25 One of my first issues here is, at this time there

1 is pending litigation, both administratively and in the
2 U.S. District Court on this issue. So I'm kind of
3 questioning something here about whether or not this is
4 the appropriate thing to do at this time because of
5 these pending pieces of litigation that are sitting out
6 there.

7 Be that's as it may, I want to go into a couple of
8 things here, because I did an awful lot of research here
9 and I've spoken to quite a few people in this room here,
10 but I come to find out in this whole situation that
11 number one, I was around during the California
12 Wilderness Act days or the Desert Protection Act in 1994
13 and to several of the hearings. I have the hearing
14 notes and also have the documents on the Congress where
15 in Congress debated both on the house side and on the
16 Senate side. There was an agreement to keep Surprise
17 Canyon as a motorized recreation corridor and it's shown
18 on the maps as such.

19 These are the official maps that came out of both
20 the environmental communities proposal and these are the
21 marked up maps which, after these come off the '94
22 Wilderness Act -- it is clearly shows on these maps a
23 motorized vehicle corridor. So the intent of Congress
24 in my opinion, and that may be something for the judge
25 to decide, was to leave this open as a motorized

1 corridor.

2 How the BLM decided to go down the route of closing
3 this canyon, is outside, in my opinion of the
4 associations position and the intent of Congress. I
5 think we have a little bit of a legal issue here that we
6 have to take here.

7 I'm going by the notes of a lot of the legal
8 pleadings that are here. So if you bear with me, just a
9 moment, I'll pick up where I was at because I just lost
10 my page. There was an issue within the EA for the
11 closure here, which has a lot to do with what's going
12 on, where they go on to state that the off-highway
13 vehicle community, after the flood before the last flood
14 went in and did some minor rerouting of the original
15 road bed pass Chris Wicht Camp, if I get that correctly,
16 and that was done before the Wilderness Act according to
17 everybody that I have talked to from the people that
18 have been in there for years. So how the BLM could say
19 that we're now incurring or going inside the wilderness
20 makes it little difficult for me to understand because
21 Congress knew that was there.

22 Let's get on to the issue that was brought up, and I
23 have to bring this up again because there is where a lot
24 of information came from. There is a term that BLM
25 never capitalized and never told us about, but they call

1 it "properly functioning condition of the riparian
2 area." I did a lot of research on that. Come to find
3 out that a "PFC" as they call it, is a US Forest Service
4 Document. What the BLM failed to disclose to the public
5 about PFC is, PFC could only be obtained where the
6 background of that area is able to handle a properly
7 functioning condition. All of us that have been around
8 Surprise canyon, and by the way, I have never been there
9 in my life, but I know a lot of people that have, know
10 that's a highly erodible area and it's always been an
11 area that has received flash floods for years and years
12 and years. The BLM doesn't have the ability to maintain
13 PFC in a that area because God doesn't allow for that to
14 happen.

15 Let's go on to water quality. They bring up water
16 quality in their EA about having a water quality issue
17 within the canyon. The only water quality monitoring
18 report that was available within the last couple of
19 years was from the California Association of Four-wheel
20 Drive Clubs event that I received and did some research
21 on. Of all the standards that were taken down, and this
22 was done as a condition that the Bureau of Land
23 Management put upon them. At no time during the entire
24 event and all the monitoring that was done, did they
25 ever show in these monitoring reports of the water

1 quality that the water within Surprise Canyon ever
2 exceeded that of drinking water set by the EPA. So
3 let's forget about this water quality issue because it's
4 a rouse.

5 Let's go on to the adopt-a-trail. You have a
6 wonderful club that's been up there for years and have
7 adopted that trail and have done a good job in trying to
8 keep the thing going. Were those people ever consulted?
9 No. Those people have tried to keep that place open in
10 the BLM just shut the door on them.

11 Let me go into another issue that I found out in my
12 research. BLM never let people know, but in fact, the
13 Surprise Canyon route is on the list of routes that the
14 County of Inyo has on their list to be maintained and
15 currently sits on that same exact list of routes to be
16 maintained. So there's another issue here, because what
17 I see is what I would consider to be a county road.
18 This is a county road folks and it's on there and the
19 supervisors from Inyo County have said that.

20 MR. JOSTES: Steve, you're at about five minutes.

21 MR. KUEHL: Okay. Can I come back if there's time?

22 MR. JOSTES: You bet.

23 MR. KUEHL: Okay. Let's do that.

24 MR. JOSTES: Eric followed by Chris Witham.

25 MR. ANDERSON: Hi, everybody. I'm Eric Anderson.

1 I'm here to represent the Tin Banner Rigeocrats
2 (phonetic) and the So. Cal. Anchorigers (phonetic).

3 I kind of want to go on the economic stand point a
4 little bit here and that, you know, during the Panamint
5 Valley Days when you have couple hundred families
6 running up there, every one of those families is going
7 to pretty much go through, Inyo, Kern, Ridgecrest and
8 Trona. Every one them is going to stop and fill up gas
9 tanks, by gas there, buy ice, buy food, a lot of them
10 stop at restaurants, stay at some of the local motels,
11 some of my best friends own a Four-wheel Drive
12 fabrication shop in Ridgecrest and a lot of breakage
13 goes on, so they'll be stopping, they'll be stopping on
14 Inyo and Kern highways to get some stuff fixed.

15 You know, a lot of money goes through there. We
16 need to keep the canyon open. If they're going to keep
17 it closed, we're going to have to pay for the BLM to
18 enforce closure and it just kind of seems silly to do
19 that.

20 That's all. Thank you.

21 MR. JOSTES: Thank you.

22 Chris followed by Robert Yates.

23 MR. WITHAM: I'm Chris Witham. I'm with the
24 Four-wheel Drive Club out of Ventura.

25 I personally have not had a chance to go up

1 Surprise Canyon. We've intended to do it for a couple
2 of years and as it stands right now, we can't. I really
3 can't improve on what Steve was already hitting on
4 there. You know, it -- the thing that concerns me is
5 the fact that this was designated as a route and left
6 open when wilderness was closed.

7 My only concern and its effects, you know, this and
8 future land closures. If we can go and close something
9 that was designated as open here, then what does that
10 say about the ongoing wilderness designations? Does
11 that allow in the future for them to close roads that
12 remain open now?

13 And that's about it.

14 MR. JOSTES: Thank you.

15 Robert Yates, followed by Jason Bunch.

16 MR. YATES: Good evening. Thank you for the
17 opportunity to speak.

18 A lot of people here have expressed a passion for
19 going four-wheeling up there. I have the same passion.
20 I've been there. I have not actually had an opportunity
21 to take my Jeep up there yet. It was closed before I
22 could do that.

23 So from that perspective, some of the legalities
24 with respect to who is in what court, I can't speak to.

25 What I can speak to is the Environmental Document.

1 I've got a number of years in experience in preparing
2 those as part of my career. What I'd like to see on
3 this document is that the historical use of that area be
4 the starting point. There has been some kind of human
5 involvement impacting that site for some where in the
6 neighborhood of a 130 to 150 years. Whatever impacts
7 are derived from that, need to be reflected. You just
8 can't arbitrarily go in there and say that it's
9 non-spoiled riparian habitat after 150 years of human
10 contact in the area. I believe the EIR he needs to
11 speak from that perspective.

12 I think with regard to water quality, you need to
13 take into account that there was mining activity up
14 there. There's tailings, there's debris, and you cannot
15 arbitrarily say that the four-wheelers are the only
16 impact on water quality.

17 With respect to the issue of the road, I believe
18 the EIR needs to speak to the fact that it was a road,
19 it was a road when it was closed. And it was a road
20 whether or not it was maintained or whether the roadbed
21 was considered passable.

22 I notice in your agenda tonight that you mentioned
23 that it is -- it's impassable in some areas and that's
24 -- follows what we do with our vehicles. So the road
25 has been there. It's been under continuous use and it's

1 been passable. So I believe that the Environmental
2 Document needs to speak to that as well.

3 Lastly, I believe that there's a cultural issue. I
4 have not had an opportunity to take my daughter up
5 there. I appreciate the history of the Old West,
6 particularly the mining history, ghost towns. I just
7 don't see where closing it off is going allow people to
8 be able to experience that. You're going to have to be
9 in darn fine physical condition in order to be able to
10 hike up there with your supplies and visit that area.

11 Thank you, very much.

12 MR. JOSTES: Thank you. Next person is Jason Bunch
13 followed by Matthew Battaglia.

14 MR. BUNCH: Thank you for letting me speak. My
15 name is Jason Bunch.

16 I repair a lot of vehicles that go up there. I
17 have 15 employees that I need to feed.

18 A lot of people go up to this place and enjoy it.
19 I have also been up there myself. It's probably one of
20 the most different type of Jeeping I have ever done. It
21 was very fun for all the people to go and work together
22 and figure out a plan to make us get up there which we
23 enjoy a lot. I don't believe with 52 weekends in a year
24 that there's many people that go up there. You know, to
25 really hurt the area. You know, it's -- this is one

1 thing I think about all the time.

2 The other thing I think about is, I have heard
3 stories from the backpackers that have been going up
4 there. They say they would appreciate the four-wheelers
5 to go back up there and take -- remove the trash that's
6 getting up there and to fix the running water and all
7 those other things. I've been to other canyons up there
8 in the Panamints and it was nice to see the
9 four-wheelers where they fix cabinets, left food for
10 anybody to have, I thought that was really neat.

11 About the water situation, I was also there when
12 they checked the water before the Panamint Valley Days
13 and checked it afterwards and found no oils and none of
14 that stuff in it.

15 If you're going to do this, let us police
16 ourselves. Let us make sure that the vehicles that go
17 up there do not leak oil and stuff like that. We can do
18 that. We want to keep this area. Us four-wheelers are
19 environmentalists too and we really keep an eye on the
20 land. If we're up there, we're going to probably take
21 care of it better than most people and if you just leave
22 it for anybody to go up there and shoot things apart,
23 that stuff is going to happen, but if we're up there we
24 can probably prevent those things.

25 I also don't believe a place like the Center for

1 Bio Diversity that just comes up with idea of "okay.
2 Let's close this for the Endangered Species Act" or some
3 something with really no real -- I don't know what the
4 record is there but you know they shouldn't be able to
5 wave a wand and closed this thing.

6 We can see this stuff is starting to happen where
7 even national news -- I was watching 20/20 on Friday
8 night and John Stossel talked about environmentalists,
9 pretty much wacko environmentalists lying about all
10 kinds of things to not let people have -- or farmers
11 have water or links, these links are not even linking in
12 certain areas that they want to close these areas. This
13 is probably the same thing. We got these wacko
14 environmentalists.

15 MR. JOSTES: I'm going to ask you not to
16 characterize people --

17 MR. BUNCH: Okay.

18 MR. JOSTES: -- in a way that you would not want to
19 be --

20 MR. BUNCH: Extreme. I'll call them "extreme."

21 MR. JOSTES: Whatever. Just --

22 MR. BUNCH: Okay. Extreme. It's just basically
23 what they called them too on --

24 MR. JOSTES: Okay. But we've been doing good so
25 far.

1 MR. BUNCH: Okay. The extreme environmentalists
2 that don't want people to do anything.

3 I also go through Trona and all those things and
4 buy things and, you know, probably to those people, the
5 economical value of all of us going out there is helping
6 that whole area.

7 Thank you, very much.

8 MR. JOSTES: Matthew Battaglia, followed by
9 Rick Fisher.

10 MR. BATTAGLIA: First of all, I'd like to thank you
11 for pronouncing my last name right. My name is
12 Matthew Battaglia. I'm a life member of Calif.
13 Four-wheel. I've been in the Association for about 13
14 years now. I have also been the chairman twice for
15 Panamint Valley Days and I'm also its co-chair for this
16 year's Panamint Valley Days.

17 Panamint Valley has a real place in my heart, not
18 just Surprise Canyon, but the whole area. In the -- my
19 first experience in the Panamint Valley was in 1992
20 Panamint Valley Days. That was also my first experience
21 going up Surprise Canyon. I was amazed that City still
22 existed to this day over a 150 years later. It's a time
23 capsule, but it's a time capsule that we all can visit.

24 We all take care of the areas we go to better than
25 probably our homes. I have watched the Bakersfield

1 Trailblazers for the last five or six years, they're the
2 people that have the adopted trail up on Surprise Canyon
3 and put that city back together, put the water back --
4 running water back together, clean the trash up that
5 other people have left up there, hauled it out, spent a
6 lot of hours up there doing that to keep it alive for us
7 and for our next generations for our kids. So
8 recreation is an issue, cultural is an issue. I just
9 can't see why we spend all this time fighting Desert
10 Protection Acts to leave that corridor open and then all
11 of a sudden it's taken away from us and we're the people
12 who are up there recreating on it and enjoying it, not
13 the people who are suing the BLM to close it.

14 So I think it's there for us. It's public land for
15 the public and that's who we are and we'd like recreate
16 on it.

17 Thank you.

18 MR. JOSTES: Okay. Rick Fisher followed by
19 Ed Stevens. Okay.

20 AUDIENCE MEMBER: I think Rick left.

21 MR. JOSTES: Okay. Ed.

22 MR. STEVENS: My name is Ed, S-t-e-v-e-n-s, for the
23 record. I'll focus my comments and make them somewhat
24 quick.

25 I'm going to talk about cultural resources and

1 things that I think the EIS should consider. One, there
2 is, I'm sure there's a number of people like myself who
3 visited the beauty of Surprise Canyon for a number of
4 years. My family has ties to the area. My Father was
5 born in Trona, my grandfather used to run up and down
6 Surprise canyon before World War II. My great
7 grandfather used to work the area, both north and south
8 of Surprise Canyon as a recreational thing to go out and
9 try to strike gold or silver. Those are experiences
10 that, if you close Surprise Canyon now, will be lost to
11 the rest of the public.

12 As I mentioned earlier today, Surprise Canyon is
13 unique in that it is the most unique or it is the one
14 canyon that leads to a city that is the best
15 representation of what a pioneer town looked like from
16 the 1870s, even from the 1940s when it was last worked
17 extensively. Although, I do know it's been worked all
18 the way up to the mid 50s.

19 You go up to adjacent canyons and they suffer a lot
20 of vandalism. The environmental studies should
21 recognize the fact that Surprise Canyon represents much
22 more than any of the adjacent canyons and it should
23 remain open to motorized traffic so that more people are
24 allowed to go see it.

25 Let's talk about whether or not the canyon

1 qualifies as a riparian area. From my understanding, a
2 riparian area has to have constant water 24 hours a day,
3 12 months out of the year and there are times in history
4 that Surprise Canyon runs dry. My contention is the EA
5 should consider that and disqualify it from riparian
6 status.

7 Let's talk about water quality, itself. I think if
8 the EA actually used water quality and considered it,
9 they should use the only known report that I know of and
10 consider that in the EA and that is the California
11 Four-wheels Report that shows no impact of water quality
12 from vehicle use.

13 They should also considered that the difficulty of
14 the terrain will minimize future increases of traffic
15 and maintain that water quality. So there should be no
16 expectation that the water quality will degrade from
17 continued use, when I say "use," motorized use.

18 I believe the Environmental Assessment should
19 recognize the fact that Surprise Canyon Road is a road.
20 I mentioned this earlier. This is not a pristine
21 riparian canyon. It's an existing road. It's been
22 there for 125 years. It's been maintained by mechanical
23 means since 1874. The lack of mechanical maintenance on
24 that road in the last five years should not be
25 considered as abandonment of the road because over its

1 125-, 135-year history there's been a number of years
2 that that road has suffered from deferred maintenance.

3 I had some comments regarding the three questions
4 that originally were published and some of them are:
5 The canyon area does not meet the BLM's minimum standard
6 for properly functioning riparian system. Through soil
7 erosion, alterations caused by motor vehicle use. I
8 want it in the record that motor vehicle use is
9 insignificant compared to seasonal flooding. The
10 geology of the area is prone to erosion and it's prone
11 to soil deposits within the canyon with subsequent
12 washing out of the canyon and anybody that's been up
13 there should be able to recognize that immediately.

14 When I say that the reported street bed alteration
15 about motor vehicle use, no alterations on a legal road
16 recognized by Congress appears to be confused with
17 natural erosion and we should not confuse the two in the
18 EA.

19 The second question I got asked in the literature
20 was several Federal and State sensitive plant animal
21 species that inhabit the area are being affected.
22 Surprise Canyon has a road running through it. Like all
23 roads, it will have an impact on the habitat. And the
24 EA must consider the fact that it is a road. It should
25 continue to be a road. The assessment on any sensitive

1 plant or animal species must recognize that it's a road.

2 The other thing the EA should consider is that, as
3 far as my experience, there is no recent observed impact
4 to any species above the flood line of extreme flash
5 flood events. After each one of those events there is
6 no indication of motorized use having any lasting impact
7 in the canyon. I want the record to show that the BLM's
8 own assessment in this summary that you have outside on
9 the table confirms that view and that experience -- and
10 that is says after the floods of 2001 there is little or
11 no visible impact from the prior four-wheel drive use or
12 motorized vehicle use. So not only is this just my mere
13 opinion, it appears to be the opinion of the BLM.

14 The last thing is, the value of the canyon for
15 recreation use including the use of motorized vehicles.
16 And what I want to say is the canyon venue is much more
17 than a singular venue for motorized us or any single
18 recreation use. The opportunities are a spectrum of
19 use. Although the spectrum will be severely minimized
20 if motorized access is limited. I urge you to look past
21 the view that its only value -- Surprise Canyon road's
22 only value is motorized use, and I urge to you recognize
23 motorized access must be maintained for serving more
24 than the simple use of the road.

25 No one here is asking for that road to be paved.

1 No one here is asking for the impact to the habitat or
2 environment to be increased over what it was before the
3 closure.

4 Now, from my personal experience, my family has
5 driven camping gear and photography equipment up the
6 canyon, we've enjoyed taking a look at the rocks, the
7 different mines in the canyon, we've actually taken
8 black lights up the canyon to look at how the different
9 rocks fluoresce under a black light. We've actually
10 taken a telescope up there and looked the at the stars.

11 All of those things are things that people can do
12 that need motorized access because the gear it takes to
13 do those things cannot be carried on your back and you
14 wouldn't be able to do it and hike up those water falls.
15 Now, I have hiked up that canyon. I have hauled a
16 bicycle up that canyon.

17 MR. JOSTES: Steve, I'm going to ask you to wrap it
18 up, please.

19 MR. KUEHL: And I want to guys to realize that
20 hiking will not be restricted, and it has never been
21 restricted. Every time I have been up there, even back
22 in the 60s when it was a graded road, hikers have always
23 peacefully coexisted with the vehicle use in the canyon.
24 It's a shared use road. Hikers have as much right to it
25 as us people driving it and us people driving it have as

1 much right to it as the hikers. There is no user
2 conflict in my memory of Surprise Canyon.

3 The last thing is an issue of cultural resources
4 and recreation. Families without the physical and
5 financial stamina demanded of taking a long strenuous
6 hike at altitude in the heat will never be able to visit
7 Surprise Canyon if motorized access is not maintained.

8 I think the EA should recognize that not everyone is
9 financially capable of taking a multi day trip up and
10 down the canyon which is what it would require if
11 motorized access is restricted.

12 And I believe the EA recognize that not everybody
13 has the physical stamina to go up and down Surprise
14 canyon if motorized access is restricted and those two
15 things need to be preserved for future generations.

16 There's enough of the area that is preserved as
17 wilderness for those that are financially and physically
18 fit that they could go and run cross country at will.

19 Now I urge the BLM to do everything it can to
20 preserve reasonable motorized access up to Surprise
21 Canyon road leading into Panamint City. Motorized
22 access survived the wilderness review and it survived
23 every other natural and man made impediment to travel up
24 and down that canyon in the last 130 years and the BLM
25 should recognize that.

1 There is much history and much cultural resources
2 that are beyond just motorized vehicles driving and
3 winching up and down that canyon.

4 And that's enough. I thank you.

5 MR. JOSTES: Thank you. Okay. Was your name Ed?

6 MR. STEVENS: Yes.

7 MR. JOSTES: Okay. Bud Schick?

8 MR. SCHICK: I'm in there.

9 MR. JOSTES: Okay. Mr. Garrison, I'm going to put
10 you on the end so we can hear other people speak first.

11 Jeff Kofoed. Okay. Was Jeff going to speak? Okay.
12 Rick Wholers followed by Joe Valdez.

13 MR. WHOLERS: My name is Richard Wholers,
14 W-h-o-l-e-r-s, from On The Rocks 4-wheel Drive Club in
15 Ventura County. I'm a member of the California
16 Association of 4-wheel Drive Club.

17 I guess I just had a couple things that -- the
18 rules didn't the say that I can not take a pole for all
19 those who have been up to Panamint City. Would you hold
20 your hands up so people know how neat of a place that
21 is, and it is really neat. I've only been up there
22 twice. It's a wonderful experience. It's an experience
23 my family has enjoyed with me. My son was able to go up
24 with me on one trip with us.

25 I'm open for multiple use, which is obvious. I

1 think multiple use needs to be seriously considered in
2 all of these studies. I think that the experience
3 which has been talked about by many people here needs be
4 part of the study. It is a cultural thing. The whole
5 family able to go up together. It is one of the neatest
6 canyons and it is not a canyon that every Jeep and every
7 body who has a Jeep can make. You are limited by the
8 number of people that go up there.

9 I am a little bit concerned on this lawsuit issue.
10 It bothers me terribly that someone can come and bring
11 forth a lawsuit and close public lands without any
12 public input. That's the action that's taken and I
13 think that is absolutely wrong. If it isn't wrong it
14 should be a law that makes it wrong.

15 And I guess that's all I have to say.

16 MR. JOSTES: Thank you.

17 Joe Valdez followed by Peter Di Primo.

18 MR. VALDEZ: My name is Joe Valdez and I'm glad to
19 see everybody is here and everyone had a lot of neat
20 things to say. I'm really happy to be here about all that.

21 You know, I don't -- I'm kind of a simple guy. All
22 I really have to say are simple things like about how
23 beautiful the place is. I've only been up there twice
24 and it's -- the history that's up there it's -- there's
25 not much history in California. I mean there's a little

1 bit but it doesn't go way back like it does in Europe or
2 even back east and in this land of strip malls and cell
3 phones, you know, sometimes you just want to get out of
4 here and Surprise Canyon is a beautiful place to go.

5 The structures are there and the 4-wheelers that go
6 up there, they help maintain the cabins so we have a
7 warm place to stay and the same with the hikers and
8 Surprise Canyon is very famous us throughout the United
9 States, probably even the word. I know there are
10 people, millions of people everywhere that would really
11 like to have this Canyon open but of course they can't
12 fit in here.

13 The Bakersfield Trail Blazers, these guys do a lot
14 of work maintaining the trail just to get vehicles up
15 there. I mean, after a monsoon or an El Nino comes
16 though there and washes the road out, which it will
17 again, you know, they do little bit of work to help make
18 sure everybody gets up there safely, and I think the
19 weather probably deteriorates the trail more so than any
20 vehicle would.

21 And thank you for listening.

22 MR. JOSTES: Peter Di Primo followed by Paul Kober.

23 MR. DI PRIMO: Hi, my name Peter Di Primo, D-i,
24 space, capital P-r-i-m-o. I'm speaking on behalf of
25 Ventura County 4-wheel Drive Club as well as the 12,000

1 plus members of the www.4x4.com bulletin board as well
2 as the often overlooked disabled community.

3 I, myself, am disabled. I can no longer hike. I
4 can rarely now mountain bike which is not so much an
5 issue with this canyon but the disabled people are
6 constantly being locked out of our public lands. We
7 only -- we rely on motorized access to access places
8 such as Panamint City. Without this road, myself, my
9 children, an future generations will be cut off from the
10 heritage and the history of Panamint City.

11 The other thing that was brought up by one
12 gentleman earlier, Jason Bunch, which is often
13 overlooked, the people that use these types of areas are
14 environmentalists. We often get labeled as
15 anti-environmentalists because we have big trucks with
16 big engines and so forth. We spend thousands and
17 thousands of dollars on the local businesses as well as
18 businesses from the across the country in prepping our
19 vehicles to minimize the impact to the environment. We
20 air down our tires to create a greater contact patch, to
21 increase traction, therefor minimizing the impact left
22 on the ground.

23 As far as water quality, I think that was pretty
24 much covered as well. I have heard numerous comments
25 that were pretty much speculation on since vehicles

1 travel this road, they must, in their travel, spill gas
2 and oil. This doesn't happen on the freeway. I don't
3 see why it would happen on a one-mile stretch of road
4 that we're roughly talking about.

5 Also the California Association of Four-wheel Drive
6 conducts a run every year with approximately 30 to 35
7 vehicles. The BLM had -- a water biologist was out
8 there taking water samples prior to the event, during
9 the event, and within 12 hours of closing of the event,
10 and there were no measurable changes found at any points
11 during that water quality survey.

12 As far as endangered species being found in the
13 area, one that comes to mind of hand is the Panamint
14 Alligator Lizard. That lizard is also found in 27 other
15 canyons that are local to the area. So this cannot be
16 critical habitat if there are 27 other canyons for this
17 animal. Also, the Panamint Alligator Lizard, it's
18 preferred habitat is sand. There's no sand in Surprise
19 Canyon. So I don't see how that could classify it as
20 critical habitat.

21 A lot of people have said that Surprise Canyon is a
22 unique eco system. I don't feel that is it. It is one
23 of seven other wet or riparian canyons that are in the
24 immediate area. So if there's seven others, I don't see
25 how it could be "unique" by definition. That would

1 constitute only one.

2 Also, a point that was well covered earlier, this
3 road has been established since 1873. This was
4 established by butcher cart wheeled vehicle. It is a
5 designated road on the county books with the County of
6 Inyo. It is maintained or on the books to be maintained
7 by the County of Inyo.

8 In the past, it received aid from the state as well
9 the Federal Government to maintain this road. Therefore
10 and under RS2477, I don't feel that this could be closed
11 by the BLM because it is not their jurisdiction.

12 I also feel that the BLM needs to use sound sights
13 to govern any of it's land use policies. The land
14 belongs to the public. They need to be kept informed.
15 A lot of people -- a couple that spoke earlier had not
16 heard about this meeting except through word of mouth.
17 So I think maybe we need -- the BLM needs to focus on
18 getting the word out about the meetings. Maybe more
19 mailings or on the internet, on their web sites,
20 whatever, maybe give a little bit more notice before the
21 meetings so the public can be involved and get a greater
22 overall perspective on what the majority of the public
23 wishes to have done with their plan.

24 In closing, I'd like to remind everyone in this
25 room as well as the BLM that humans are part of the

1 environment and should not be excluded from it nor
2 should they be represented as controllers of the
3 environment. As certain organizations such as the
4 Center for Biological Diversity and the Sierra Club seem
5 to feel that we are.

6 Thank you.

7 MR. JOSTES: Thank you.

8 Paul Kober followed by Tom Lowery.

9 MR. KOBER: My name is Paul Kober, K-o-b-e-r. I'm
10 a field rep for the California off-road Vehicle
11 Association. Most of my comments have already been
12 stated, but I'll state them again.

13 The EA must reflect the history of the area. It is
14 a county road. County graded road. I have been up that
15 road many times. In Volks Wagon, so you know it was a
16 road. I was up before it was washed out. I waited for
17 it to be repaired and returned to Panamint City
18 afterwards. The access is the issue that needs to be
19 maintained being that it is a historical road, RS2477
20 must apply to this county road. The only damage that
21 could be done by motorized vehicles will be washed out
22 hopefully by the rains this summer. We have a right to
23 recreate. The only correct thing to do in this area is
24 to dump the lawsuit. The only endangered species in
25 this canyon is the offroader.

1 Thank you.

2 MR. JOSTES: Tom Lowery.

3 MR. LOWERY: Well, like a lot of people before me,
4 some of my points have been covered before, but a lot
5 these can't be stated enough.

6 This area was specifically set aside for motorized
7 vehicular traffic. It was set aside by Congress. I
8 have seen nothing to indicate that the environmental
9 impact of this road is consistent with the road. It's
10 not a wilderness area. It is a roadway. Now, the road
11 at this point is certainly in a more natural state than
12 when it was graded on a regular basis. As far as I'm
13 concerned, that's a good thing. I'm happy with the way
14 it is. The limited vehicular traffic up a difficult
15 road will limit the environmental impact.

16 There are 11 perineal streams in the Panamint
17 range. Eight are protected in wilderness areas. One is
18 open to offroad use if Panamint Valley or if Surprise
19 Canyon remains closed, none will be available for
20 offroad use. That's 100 percent closure sure, there are
21 other canyons and other trails, but none with the beauty
22 of Surprise canyon. I have never had a chance to go up
23 there. I have seen pictures. I would like to go up
24 there some day.

25 On the economic standpoint, I'm sure we've all seen

1 that the businesses in Trona change their business hours
2 on the weekends when four-wheelers are up there. That's
3 a statement by the City of Trona and it's businesses.
4 How important our dollars are.

5 In closing I'd just like to say that it's, in my
6 opinion, absolutely improper that any group with the
7 money to pay the attorneys can interfere with our
8 proper, rightful, legally sanctioned and congressionally
9 designated use by thousands of people of this canyon.

10 Thank you.

11 MR. JOSTES: Steve, did you want to continue with
12 your remarks?

13 MR. KUEHL: Just a couple more. Oh, you better get
14 her in first.

15 MR. JOSTES: Are you going to be doing something we
16 haven't heard before?

17 MS. FERGUSON: Yes, sir. Actually, my names is
18 Geri Ferguson and I represent the California Association
19 of Four-wheel Drive Clubs. I have attended -- I missed
20 one scoping meeting, but I have attended all the rest of
21 them so that's why he was saying is it something new.

22 We talked about the Panamint Valley Days. One of
23 the things that hasn't been brought up is that Surprise
24 Canyon is world-wide known as one of the superior places
25 to go four-wheeling throughout the world. At Panamint

1 Valley Days, we have had people from Japan, Germany,
2 Australia, England, all across the United States,
3 especially the western states, we have had numerous
4 people and clubs come over to specifically go on
5 Panamint Valley Days. They sign up way in advance to
6 get into this and, I mean, half the time we can't even
7 understand what they're saying but you can tell by the
8 looks on their faces that they enjoyed their day and
9 being able to go up to this place.

10 The magazines have written I don't know how many
11 articles in their magazines about the superior
12 four-wheeling that is available up there. This is part
13 of the history of canyon and it's needs to be included
14 in that. Plus, those people aren't here. They are not
15 being represented by anybody. You know, from some world
16 association, so, I mean, they came that far to travel to
17 go on this canyon. It's important. The Japanese spent
18 probably four or five days up there, filming and doing
19 all kinds of stuff. They were a lot of fun. Couldn't
20 understand them, but they were fun.

21 But that's important too. You know, it's not just
22 a thing that effects us locally, it effects the whole
23 world, and I just wanted to make that point.

24 Thank you.

25 MR. JOSTES: Steve.

1 MR. KUEHL: Since I only get to come to one of
2 these meetings, I guess I got to say it all in one.

3 I believe that the EIS Draft of the BLM must
4 explore an adjustment of any wilderness boundary within
5 that canyon which is allowed for in the desert
6 protection act. There is specific clear language that
7 says that the BLM may adjust payroll to fit the needs.

8 In a conversation with one of the Ridgecrest
9 Staffers within the last few months, I come to find out
10 that the official Congressional maps that were supposed
11 to be done years ago have never been accomplished in
12 this area and they're in a "draft form" and were never
13 brought out to the public for them to look at. So if
14 we're in that draft form, Congress is allowed for an
15 adjustment for the wilderness boundary to be able to
16 accommodate any concerns about the re-route quote,
17 unquote within that area.

18 Number 2, I've not heard it bought up yet, but it's
19 my understanding from talking to folks within the
20 California four-wheel realm that the top of the canyon
21 there in the Panamint City area happens to be a thing
22 called "private property." It happens to be owned by a
23 group, I believe, in Texas, but I may be incorrect. We
24 have not talked about the access to that private
25 property. That's very important because who knows?

1 Maybe I'm going to go up and buy that out and I want my
2 access to my property.

3 Let me touch for a moment on why we're here today.
4 Was this something that was driven end by Congress? Was
5 this something was driven by a legislative branch? Was
6 this something was driven by some management thoughts
7 and concerns by the Bureau before it was in this
8 lawsuit? No. So what this document needs to explore
9 and needs to good into great detail is: Why are we
10 doing this document? Is this driven by a lawsuit or is
11 this driven by really good sound management? I don't
12 think it's -- well, I'm not going to get into that.

13 There's been a proposal for wild and scenic river
14 and one of the portions of the Wild and Scenic River Act
15 is that these areas have to have outstanding remarkable
16 value, and yes, this is an outstanding and remarkable
17 area, but is it not represented by other canyons that do
18 have similar types of water flow and aren't we already
19 protecting those things? So I believe that the document
20 needs to go into great detail to be able to justify any
21 potential addition to the wild and scenic river system,
22 and if they decide within the document to do so, we need
23 to be very open about what wild means, what scenic
24 means, what recreation segments mean and how they will
25 impact the access to this area.

1 If, indeed there were some type of a real problem
2 in this area, I'm talking with the off highway vehicle
3 -- motor vehicle recreation division and staffers,
4 they've never received any kind of a request by the
5 Bureau of Land Management to be able to bring this thing
6 up to a better standard for the riparian area. I find
7 that interesting.

8 The Endangered Species Act is there -- I believe
9 was a good act for a lot of reasons. I think it's been
10 abused. Yet, within the canyon there are no endangered
11 species. There are sensitive species, and I understand
12 from the off-highway Motor Vehicle Division that there's
13 been a lot of things that a couple of folks within the
14 Ridgecrest -- have been up there looking at. They're
15 having a difficult time determining that there is a real
16 problem with the Panamint Alligator lizard and others
17 there. So I'm having a difficult time.

18 They need in this document to really expand upon
19 this because this is something I'm going to focus on
20 from a legal perspective.

21 Finally, I think that the bureau suffers right now
22 from a real being lack of credibility with the
23 off-highway community and I think that if the Bureau has
24 done the job to hire an independent firm to be able to
25 write this document and to do the work that needs to be

1 done, I applaud that.

2 Moreover, I think we need to get the Bureaus own
3 biological folks out of the picture. Bring independent
4 biological people in. So that it doesn't stink like it
5 does today. There are some problems with people that we
6 can prove and document within the Bureau, within this
7 resource area who would have been a proponent to close
8 this area for a number of years. They're in decision
9 making roles, and let's not have a problem like we did
10 with the Desert Tortoise where we have those that are in
11 anti-us and those that are for us.

12 And I think that we need independent, hired out
13 scientists to come in, even do a review possibly and I'm
14 going to be calling for this on the Desert Tortoise of
15 the -- help me with this. This is an independent group
16 use that did the -- river area, the National Science
17 Council, I believe it was something was brought in up
18 that. We need to get this so that it doesn't have an
19 air about it that can be considered wrong.

20 That's the end of my comments and I appreciate it.
21 Thank you.

22 MR. JOSTES: Thank you.

23 One last comment from Garrison Norvell. Garrison,
24 were you going to speak again or you already spoke this
25 afternoon? He left? Okay. Is there anybody else who

1 hasn't spoken who would like to speak?

2 Thank you all for your comments this evening, they
3 have been more wide ranging than we've heard in our
4 previous meetings and that helps to make this a richer
5 process. Again, as I said at the beginning, we will be
6 having two more meetings. One tomorrow afternoon at
7 3:00 o'clock at the Hilton Mission Valley in San Diego
8 and one at 7:00 o'clock in the evening same place.

9 Thank you all for coming. Good night.

10 (This session was concluded at 8:13 p.m.)

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